

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 427 OF 2005

MR. KERIN PINTO, CALANGUTE, BARDEZ Petitioner
GOA.

Versus

THE ADDITIONAL COLLECTOR AND 2 Respondents
ORS.,

Shri Arun Bras De Sa, Advocate for the Petitioner.
Ms. R. Chodankar, Addl. Govt. Advocate for the Respondents..

Coram:- D. D. SINHA &
N. A. BRITTO, JJ.

Date:- 22nd November, 2005

P.C.:

Heard Mr. A. Bras de Sa, the learned counsel for the Petitioner and
Ms. R. Chodankar, the learned Addl. Govt. Advocate for the State.

2. The Writ Petition is directed against the action of the respondent No.1-Addl. Collector, North Goa who has issued the Order dated 19.10.05 on the ground that the Goa Coastal Zone Management Authority did not follow the procedure prescribed under the Environment Protection Act before issuing the order of demolition dated 10.12.04. Consequently the Order dated 19.10.2005 passed by Respondent No.1 also suffers from the said vice.

3. The learned Addl. Govt. Advocate makes a categorical statement that the Order dated 10.12.04 passed by the Goa Coastal Zone Management Authority as well as Order dated 19.10.05 shall not be given effect to and fresh procedure applicable in this regard shall be followed before issuing the order of demolition under the Environment Protection Act as well as the Rules made thereunder.

4. In the backdrop of the above referred facts, particularly in view of the statement made by the counsel for the State, nothing survives in the Writ Petition. Same is disposed of. The authorities are entitled to proceed afresh under the relevant provisions of the Act and Rules and are also entitled to pass appropriate order afresh in this regard.

Writ Petition is disposed of.

D. D. SINHA, J.

N. A. BRITTO, J.

sl.